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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

JENNIFER JOY FREYD,

Plaintiff,

v.

UNIVERSITY OF OREGON,
MICHAEL H. SCHILL, and HAL
SADOFSKY,

Defendants.

No. 6:17-cv-448-MC

**REPLY IN SUPPORT OF DEFENDANT
MICHAEL H. SCHILL'S BILL OF
COSTS**

This memorandum is submitted in reply to Plaintiff's objections to Defendant Michael Schill's Bill of Costs. Defendant Schill adopts and incorporates by reference the Reply Memorandum in Support of Defendants University of Oregon and Hal Sadofsky's Bill of Costs. We reply separately only to address Plaintiff's assertion that the deposition transcripts were not necessary in this litigation. This reply also is supported by the accompanying Declaration of Nathan Morales.

1 - REPLY IN SUPPORT OF DEFENDANT MICHAEL
H. SCHILL'S BILL OF COSTS

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Contrary to Plaintiff's assertions, obtaining and using the deposition transcripts was a necessary component of this litigation. Plaintiff asserted claims against Defendant Schill in both his personal and official capacities. Morales Decl. ¶ 1. Accordingly, in July 2018, we began drafting a motion for summary judgment on those claims. *Id.* at ¶ 2. The draft relied heavily on excerpts from the deposition transcripts. *Id.* In October 2018, counsel for Plaintiff ultimately agreed to dismiss the claims alleged against Schill in his personal capacity. *Id.* at ¶ 3. To prepare for those discussions with Plaintiff's counsel, it was necessary to review the deposition transcripts to assess the strength of Plaintiff's claim against Schill. *Id.* This also helped defendants avoid moving to dismiss the personal capacity claims alleged against Schill on qualified immunity grounds, which in turn reduced the attorney fees that otherwise would have been incurred for such work. Under these circumstances, the deposition transcripts played a necessary part in the resolution of Plaintiff's claim against Defendant Schill.

For the reasons set forth above, and in the defendants' other supporting documents, we respectfully request that this Court enter an award in the amount of \$3,873.95 for Defendant Schill's costs.

DATED: June 10, 2019

PERKINS COIE LLP

By: s/ Nathan R. Morales

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2 - REPLY IN SUPPORT OF DEFENDANT MICHAEL
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**CERTIFICATE OF COMPLIANCE
PURSUANT TO LR 7-2(B) AND LR 54-1(C)**

This brief complies with the applicable word-count limitation under LR 7-2(b) and LR 54-1(c) because it contains 267 words, including headings, footnotes, and quotations, but excluding the caption, table of contents, table of authorities, signature block, and any certificates of counsel.

DATED: June 10, 2019

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